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**MOVANT'S COUNSEL IS DIRECTED TO SERVE
COPY OF THIS ORDER ON ALL PARTIES UPON
RECEIPT VIA FACSIMILE.**

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **MAR 20 2013** ★

March 19, 2013

LONG ISLAND OFFICE

Honorable Arthur D. Spatt
United States District Court
100 Federal Plaza
Central Islip, New York 11722

Re: JTE Enterprises Inc. vs. Andrew M. Cuomo et al
Docket Number: CV-13-1425

Dear Judge Spatt:

An Order to Show Cause for the above matter was filed on March 19, 2013 by my office on behalf of the plaintiff, JTE Enterprises Inc. which seeks an Order which would restrain the New York State Department of Labor from enforcing a "Determination" that JTE is liable for the payment of Unemployment Insurance Contributions.

My office contacted Steven Koton, Esq. an attorney from the New York State Attorney General's office who has previously appeared on behalf of the Department of Labor in this matter and informed him earlier today that the action had been filed and that the plaintiff is seeking the above referenced Order and that an oral application is sought for this Friday, March 22, 2013 at 9:30 am at the Courthouse in Central Islip. We have also forwarded to him a complete copy of the said Order to Show Cause.

Accordingly, request is hereby made that Your Honor entertain oral argument for the requested relief on March 22, 2013 at 9:30am. in your Courtroom. Thank you for your considerations

Very truly yours,


Eugene F. Haber

cc: Steven Koton

jte\declaratory.action\spatt

THE PARTIES ARE DIRECTED TO APPEAR BEFORE
THE COURT FOR ORAL ARGUMENT AT 9:00 AM
ON MARCH 22, 2013. SO ORDERED.

/s/ Arthur D. Spatt

ARTHUR D SPATT, U.S.D.J. 3/20/13